

House Bill 977

By: Representative Jones of the 44th

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to prestige license plates for certain persons and vehicles, so as to provide for a
3 special license plate supporting improvement in the child care industry; to provide for a
4 portion of the revenue to go to the Minority Alliance for Child Care Development Advocates,
5 Inc.; to provide for purposes, design, applications, fees, issuance, revenues, renewals, and
6 transfers; to provide for related matters; to provide a contingent effective date; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
11 prestige license plates for certain persons and vehicles, is amended by adding a new Code
12 Section 40-2-86.18 to read as follows:

13 "40-2-86.18.

14 (a) In order to promote the child care industry by encouraging higher educational standards
15 and providing for professional camaraderie for child care providers there shall be issued
16 beginning July 1, 2007, special license plates under this Code section.

17 (b) The commissioner shall design, in cooperation with supporters of this license plate, a
18 special distinctive license plate appropriate for the purposes provided by this Code section.
19 Such special license plate shall be of the same size as general issue motor vehicle license
20 plates and shall include a unique design and an identifying number of not more than six
21 digits. No two recipients shall receive identically numbered plates. Such design shall not
22 include a space for a county name decal but shall instead bear the legend 'Support
23 Improved Child Care' in lieu of the name of the county of issuance. The graphic on the
24 special license plate shall be placed to the left of the alphanumeric characters and shall be
25 no larger than three inches by three inches.

(c) Notwithstanding the foregoing provisions of this Code section, this Code section shall not be implemented until such time as the State of Georgia has, through a licensing agreement or otherwise and at no cost to the state, received such licenses or other permissions as may be required or as may otherwise be necessary or appropriate to implement this Code section. No royalty, license fee, or other moneys shall be paid to any organization or its licensor for the use by the state of such logo or design on license plates authorized by this Code section. The commissioner may charge fees, take other actions, and agree to or impose terms and conditions which might normally be envisioned in licensing and cross-licensing agreements for the use of designs and similar intellectual property. Without limitation, the commissioner may agree to allow to others the exclusive or nonexclusive use of the design of the special license plate. The design of the special license plate, excepting only any part of the design owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The commissioner may take such steps as may be necessary to give notice of and protect such right, including the copyright. However, such steps shall be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law and no person shall reproduce or otherwise use such design, except as authorized by the commissioner.

(d) Beginning in July 1, 2007, any Georgia resident who is the owner of a motor vehicle, except a vehicle registered under the International Registration Plan, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular motor vehicle registration fee shall be issued a license plate supporting improved child care. Revalidation decals shall be issued for such license plates in the same manner as provided for general issue license plates.

(e) The manufacturing fee derived from the sale of support improved child care license plates shall be apportioned as follows: \$2.00 to the department, \$13.00 to be deposited into the general fund, and \$10.00 to the Minority Alliance for Child Care Development Advocates, Inc., for the development of programs to help improve child care as provided by Article III, Section IX, Paragraph VI(n) of the Constitution. The private recipients of these funds shall use the funds as grants to fund projects supporting the improvement of child care in Georgia.

(f) An applicant may request a license plate supporting improved child care at any time during the applicant's registration period. If such a license plate is to replace a current valid license plate, such license plate shall be issued with appropriate decals attached.

(g) No special license plate authorized pursuant to this Code section shall be issued except upon the receipt by the department of at least 1,000 applications. The special license plate shall have an application period of two years after July 1, 2007, for payment of the manufacturing fee. After such time if the minimum number of applications is not met, the department shall not continue to accept the manufacturing fee, and all fees shall be refunded to applicants.

(h) The department shall not be required to continue to manufacture the special license plate if the number of active registrations falls below 500 registrations at any time during the period provided in subsection (b) of Code Section 40-2-31. A current registrant may continue to renew such special license plate during his or her annual registration period upon payment of an additional \$25.00 annual special tag fee which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The department may continue to issue such special license plates that it has in its inventory to assist in achieving the minimum number of registrations. If the special license plate falls below 500 active registrations at any time during the period provided in subsection (b) of Code Section 40-2-31, the department must receive 1,000 applications accompanied by the manufacturing fee to continue to manufacture the license plate.

(i) Support improved child care license plates shall be transferred from one vehicle to another vehicle in accordance with the provisions of Code Section 40-2-80.

(j) Support improved child care license plates shall be issued within 30 days of application once the requirements of this Code section have been met."

SECTION 2.

(a) This Act shall become effective on January 1, 2007, except as otherwise provided in subsection (b) of this section.

(b) If an amendment to the Constitution of the State of Georgia authorizing the donation of revenue from sales of special license plates to the Minority Alliance for Child Care Development Advocates, Inc., or to any organization deemed suitable by the General Assembly is not ratified at the general election in 2006, this Act shall be repealed in its entirety on January 1, 2007, and no such motor vehicle license plates shall be issued pursuant to this Act.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.